

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

GREEN LINE GROUP INC.

Employer

and

Case 01-RC-181492

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS LOCAL 1228, AFL-  
CIO

Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Decision and Direction of Election is denied as it raises no substantial issues warranting review.

MARK GASTON PEARCE, CHAIRMAN

LAUREN McFERRAN, MEMBER

Dated, Washington, D.C., December 21, 2016.

Member Miscimarra, dissenting.

The Employer, Green Line Group, refers technical personnel or crew members to clients (e.g., Comcast, the New England Sports Network) that televise professional sports events, such as Boston Red Sox baseball games (at Fenway Park), Boston Bruins hockey games (at the Boston Garden), and Boston Celtics basketball games (also at the Boston Garden). The technical crew members referred by Green Line Group include a technical director, camera operators, graphics operators, statisticians, and stage managers, among others. The Regional Director concluded that the crew members were employees of Green Line Group. I would grant review on the basis that some evidence relevant to determining whether the petitioned-for individuals are employees or independent contractors raises substantial questions regarding whether the technical personnel are independent contractors, with Green Line Group functioning more like a referral agency than an employer. For example, Green Line Group does not direct the technical personnel when they are working; the equipment operated by the referred personnel is generally provided by the clients, not Green Line Group; the clients determine the number of positions they need to fill for each event and often hand pick specific crew members they desire; each crew member decides what particular events he or she will work; and there is no minimum number of events that crew members must work in a given year. Accordingly, I respectfully dissent from my colleagues' decision to deny review.

PHILIP A. MISCIMARRA, MEMBER